

AMENDED IN ASSEMBLY JUNE 14, 2004

AMENDED IN ASSEMBLY MAY 27, 2004

AMENDED IN SENATE MAY 13, 2004

AMENDED IN SENATE APRIL 22, 2004

SENATE BILL

No. 1084

Introduced by Senator Torlakson

January 5, 2004

An act to add Section ~~97 to~~ 97.2 to, and to add and repeal Section 97 of, the Streets and Highway Code, and to add Section 42010 to the Vehicle Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 1084, as amended, Torlakson. Highways: Safety Enhancement-Double Fine Zones.

Under existing law, until January 1, 2006, the segment of State Highway Route 101 between the Eureka Slough Bridge and the Gannon Slough Bridge in Arcata is designated a Safety Enhancement-Double Fine Zone.

This bill, *until January 1, 2008*, would also designate as Safety Enhancement-Double Fine Zones the segment of Vasco Road between the Interstate 580 junction in Alameda County and the Walnut Boulevard intersection in Contra Costa County, ~~the Golden Gate Bridge~~, and certain road segments in Alameda County, upon approval of local resolutions designating them as such. *The bill would also permanently designate the Golden Gate Bridge as a Safety Enhancement-Double Fine Zone, upon approval of a similar local resolution.* The bill would, thus, subject all of the segments to

provisions requiring increased fines for traffic violations in a Safety Enhancement-Double Fine Zone.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 97 is added to the Streets and Highways
2 Code, to read:

3 97. The following highway segments are Safety
4 Enhancement-Double Fine Zones:

5 (a) (1) Upon approval of a resolution designating it as a Safety
6 Enhancement-Double Fine Zone by the Alameda and Contra
7 Costa County Boards of Supervisors, the segment of county
8 highway known as Vasco Road, between the Interstate 580
9 junction in Alameda County and the Walnut Boulevard
10 intersection in Contra Costa County.

11 ~~(2) Upon approval of a resolution designating it as a Safety~~
12 ~~Enhancement-Double Fine Zone by the Board of Directors for the~~
13 ~~Golden Gate Bridge, Highway and Transportation District, the~~
14 ~~1.73-mile segment that is the Golden Gate Bridge.~~

15 (3)

16 (2) Upon approval of a resolution designating any of the
17 following segments located within the County of Alameda by the
18 Alameda County Board of Supervisors, any of the following
19 segments so designated:

20 (A) Grant Line Road between the Interstate 580 junction and
21 the San Joaquin County line.

22 (B) Patterson Pass Road between the Greenville Road
23 intersection and the San Joaquin County line.

24 (C) North Livermore Avenue between the Interstate 580
25 junction and the Manning Road intersection.

26 (D) Mountain House Road between Grant Line Road and
27 Byron-Bethany Road.

28 The applicable local agency, in consultation with the
29 department, shall assume all responsibilities that would otherwise
30 accrue to the department for the administration of the Safety
31 Enhancement-Double Fine Zones designated pursuant to this
32 section.



(b) The Safety Enhancement-Double Fine Zones described in subdivision (a) are subject to the rules and regulations adopted by the department prescribing uniform standards for warning signs to notify motorists that, pursuant to Section 42010 of the Vehicle Code, increased penalties apply for traffic violations that are committed within a Safety Enhancement-Double Fine Zone. The department or the local authority having jurisdiction over this highway segment shall place and maintain the warning signs identifying this highway by stating that a “Special Safety Zone Region Begins Here” and a “Special Safety Zone Ends Here.”

(c) Designation of the highway segments in subdivision (a) as Safety Enhancement-Double Fine Zones does not increase the civil liability of the state or local authority having jurisdiction over the highway segment under Division 3.6 (commencing with Section 810) of Title 1 of the Government Code or any other provision of law relating to civil liability.

(d) (1) Only the base fine shall be enhanced pursuant to this section.

(2) Notwithstanding any other provision of law, any additional penalty, forfeiture, or assessment imposed by any other statute shall be based on the amount of the base fine before enhancement or doubling and shall not be based on the amount of the enhanced fine imposed pursuant to this section.

(e) The projects specified in subdivision (a) shall not be elevated in priority for state funding purposes.

~~SEC. 2.~~

(f) This section shall remain in effect only until January 1, 2008, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2008, deletes or extends that date.

SEC. 2. Section 97.2 is added to the Streets and Highways Code, to read:

97.2. (a) The 1.73-mile segment that is the Golden Gate Bridge shall be a Safety Enhancement-Double Fine Zone upon approval of a resolution designating it as such by the Golden Gate Bridge, Highway and Transportation District. The district, in consultation with the department, shall assume all responsibilities that would otherwise accrue to the department for the administration of the Safety Enhancement-Double Fine Zone designated pursuant to this section.

1 **(b)** *The Safety Enhancement-Double Fine Zone described in*
2 *subdivision (a) is subject to the rules and regulations adopted by*
3 *the department prescribing uniform standards for warning signs*
4 *to notify motorists that, pursuant to Section 42010 of the Vehicle*
5 *Code, increased penalties apply for traffic violations that are*
6 *committed within a Safety Enhancement-Double Fine Zone. The*
7 *local authority having jurisdiction over this segment shall place*
8 *and maintain the warning signs identifying this segment by stating*
9 *that a “Special Safety Zone Region Begins Here” and a “Special*
10 *Safety Zone Ends Here.”*

11 **(c)** *Designation of the segment in subdivision (a) as a Safety*
12 *Enhancement-Double Fine Zone does not increase the civil*
13 *liability of the state or local authority having jurisdiction over the*
14 *segment under Division 3.6 (commencing with Section 810) of*
15 *Title 1 of the Government Code or any other provision of law*
16 *relating to civil liability.*

17 **(d)** *(1) Only the base fine shall be enhanced pursuant to this*
18 *section.*

19 **(2)** *Notwithstanding any other provision of law, any additional*
20 *penalty, forfeiture, or assessment imposed by any other statute*
21 *shall be based on the amount of the base fine before enhancement*
22 *or doubling and shall not be based on the amount of the enhanced*
23 *fine imposed pursuant to this section.*

24 **(e)** *The project specified in subdivision (a), if eligible for state*
25 *funding, shall not be elevated in priority for state funding*
26 *purposes.*

27 **SEC. 3.** Section 42010 is added to the Vehicle Code, to read:

28 **42010.** *(a) For any offense specified in subdivision (b) that is*
29 *committed by the driver of a vehicle within an area that has been*
30 *designated as a Safety Enhancement-Double Fine Zone pursuant*
31 *to subdivision (a) of Section 97 of the Streets and Highways Code*
32 *or, subdivision (a) of Section 97.1 of the Streets and Highways*
33 *Code, or subdivision (a) of Section 97.2 of the Streets and*
34 *Highways Code, the fine, in a misdemeanor case, shall be double*
35 *the amount otherwise prescribed, and, in an infraction case, the*
36 *fine shall be one category higher than the penalty otherwise*
37 *prescribed by the uniform traffic penalty schedule established*
38 *pursuant to Section 40310.*

39 **(b)** *A violation of any of the following provisions is an offense*
40 *that is subject to subdivision (a):*

(1) Chapter 3 (commencing with Section 21650) of Division 11, relating to driving, overtaking, and passing.

(2) Chapter 7 (commencing with Section 22348) of Division 11, relating to speed limits.

(3) Section 23103, relating to reckless driving.

(4) Section 23104, relating to reckless driving that results in bodily injury to another.

(5) Section 23109, relating to speed contests.

(6) Section 23152, relating to driving under the influence of alcohol or a controlled substance, or a violation of Section 23103, as specified in Section 23103.5, relating to alcohol-related reckless driving.

(7) Section 23153, relating to driving under the influence of alcohol or a controlled substance, which results in bodily injury to another.

(8) Section 23220, relating to drinking while driving.

(9) Section 23221, relating to drinking in a motor vehicle while on the highway.

(10) Section 23222, relating to driving while possessing an open alcoholic beverage container.

(11) Section 23223, relating to being in a vehicle on the highway while possessing an open alcoholic beverage container.

(12) Section 23224, relating to being a driver or passenger under the age of 21 possessing an open alcoholic beverage container.

(13) Section 23225, relating to being the owner or driver of a vehicle in which there is an open alcoholic beverage container.

(14) Section 23226, relating to being a passenger in a vehicle in which there is an open alcoholic beverage container.

(c) This section applies only when traffic controls or warning signs have been placed pursuant to Section ~~97 or 97.1~~ 97, 97.1, or 97.2 of the Streets and Highways Code.

(d) (1) Notwithstanding any other provision of law, the enhanced fine imposed pursuant to this section shall be based only on the base fine imposed for the underlying offense and shall not include any other enhancements imposed pursuant to law.

(2) Notwithstanding any other provision of law, any additional penalty, forfeiture, or assessment imposed by any other statute shall be based on the amount of the base fine before enhancement

- 1 or doubling and shall not be based on the amount of the enhanced
- 2 fine imposed pursuant to this section.

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